PATENT 58165-5001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Steve Filipski, et al.

Serial No.

10/038,830

Filed:

December 31, 2001

For:

NON-SOAP BASED SHAVING

AND MOISTURIZING

COMPOSITION

Group Art Unit: 1623

Examiner: Not yet assigned

Re: Petition for Correction under 37

CFR § 1.10

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence and the identified enclosures are being deposited with the United States Patent and Trademark Office by facsimile on <u>February 13, 2002</u> and addressed to Customer Service Center, Office of Initial Patent Examination's, Assistant Commissioner for <u>Patents</u>, Washington, D.C. 20231 by <u>Kristin Freeburn</u>

Assistant Commissioner for Patents Washington D.C. 20231

Attention:

Office of Initial Patent Examination's

Customer Service Center

PETITION FOR CORRECTION UNDER 37 CFR § 1.10

Dear Sir:

We request correction of the filing receipt dated February 1, 2002, concerning the above-referenced patent application, a copy of which is enclosed

The official filing receipt contains an error in the filing date. The <u>correct</u> filing date is <u>December 31, 2001</u>, not <u>December 28, 2001</u> as set forth in the enclosed filing receipt.

Section 1.10(a) provides, in pertinent part:

Any correspondence received by the Patent and Trademark Office (Office) that was delivered by the "Express Mail Post Office to Addressee" service of the United States Postal Service (USPS) will be considered filed in the Office on the date of deposit with the USPS. The date of deposit with the USPS is shown by the "date-in" on the Express Mail mailing label or other official USPS

Serial No. 10/038,830 Page 2

notation.

37 C.F.R. § 1.10(a) (emphasis added).

Pursuant to 37 C.F.R. § 1.10, the application was deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service, Express Mail Label No. EL687781445US, addressed to Box New Patent Application, Assistant Commissioner for Patents, Washington D.C. 20231 on <u>December 31, 2001</u>. A copy of the Express Mail label is attached. The "Date-In" box on the Express Mail label indicates that it was deposited on December 31, 2001. Accordingly, the correct filing date is December 31, 2001.

Applicant respectfully requests correction accordingly to reflect the correct filing date of December 31, 2001 and a new filing receipt issued.

Respectfully submitted,

Dated: February 13, 2002

KATHY MOJIBI Reg. No. 41,409

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